

### REMARKS

The Office Action dated August 13, 2003, has been reviewed in detail along with all references made of record. Reconsideration of the claims of the instant application is respectfully requested in view of the following remarks.

Applicants would like to extend their appreciation to the Examiner for the time and attention accorded this case. As will be set forth in detail herebelow, the issues raised by the Office in the Office Action dated August 13, 2003, when reconsidered in light of the foregoing amendments and the following comments, should be resolved in Applicants' favor.

As of the Office Action dated August 13, 2003, Claims 1-15 and 17-27 were pending in the instant application. By this Amendment, Claim 1 has been amended while Claims 28-45 have been newly presented.

Claims 6-15 and 17-27 have been indicated as allowable by the Office. This was confirmed in an informal telephone consultation with the Examiner on August 11, 2003.

At the same time, according to the Action of August 13, 2003, Claims 1-10 and 16-27 apparently stand rejected under 35 U.S.C. 102 in view of Butterfield '125. This stands in stark contrast to what was understood from the aforementioned telephone consultation. Particularly, during the telephone consultation,

it had been indicated that only Claims 1-5 would be in condition for rejection. Further, the rejection is not consistent with the indication, in the Action, of the allowability of Claims 6-10 and 17, nor with the fact that Claim 16 is already cancelled. Accordingly, Applicants assume that the present rejection was intended only to relate to Claims 1-5.

As such, independent Claim 1 has now been amended in a manner believed to fully overcome Butterfield. Particularly, Claim 1 now recites that at least one image is produced via microstereopsis, and that camera or virtual camera interocular separation is substantially less than about 60 mm without being scaled for human interocular separation. It is respectfully submitted that such features are neither taught nor suggested by Butterfield. During the aforementioned telephone conversation, it had also been indicated that such changes to Claim 1 would indeed sufficiently distinguish the same over Butterfield.

In view of the foregoing, it is respectfully submitted that Claim 1 is in condition for allowance, along with the Claims 2-5 dependent therefrom. Accordingly, it is respectfully requested that the present rejection be reconsidered and withdrawn.

Also submitted herewith for consideration by the Office are newly presented Claims 28-45. It is respectfully submitted that these claims are in condition for allowance as presented.

Independent Claim 28 relates to a method of producing at least one image for being perceived on a stereo display as three dimensional by an observer in any location from which the display is viewed, the method comprising the steps of: providing a viewing system comprising the stereo display capable of producing first and second output modes wherein: in the first output mode, the display appears brighter to the right eye than to the left eye of the observer during times when a right eye image of the one image is on the display and without the right eye image of the one image appearing extinguished to either eye; and in the second output mode, the display appears brighter to the left eye than to the right eye of the observer during times when a left eye image of the one image is on the display and without the left eye image of the one image appearing extinguished to either eye; and rapidly alternating the display between the right eye image shown in the first output mode and the left eye image shown in the second output mode. It is respectfully submitted that these features are neither taught nor suggested by the art of record. Accordingly, it is respectfully submitted that Claim 28, and the Claims 29-37 dependent therefrom, are in condition for allowance as presented.

Independent Claim 38 relates to an apparatus for producing a three-dimensional image, the apparatus comprising: an arrangement for producing at least one perceptible image via microstereopsis; and a stereo display that displays the at least

one image as three dimensional to an observer in any location from which the display is viewed, wherein the stereo display produces first and second output modes wherein in the first output mode, the display appears brighter to the right eye than to the left eye of the observer during times when a right eye image of the one image is on the display, and in the second output mode, the display appears brighter to the left eye than to the right eye of the observer during times when a left eye image of the one image is on the display; and a switching arrangement for rapidly alternating the display between the right eye image shown in the first output mode and the left eye image shown in the second output mode. It is respectfully submitted that these features are neither taught nor suggested by the art of record. Accordingly, it is respectfully submitted that Claim 38, and the Claims 39-45 dependent therefrom, are in condition for allowance as presented.

**References Made of Record but not Applied:**

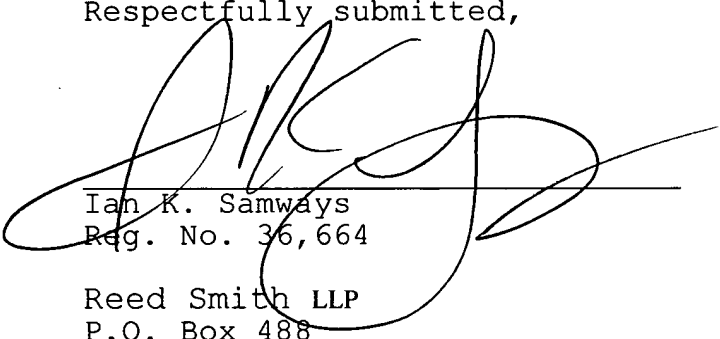
The references made of record but not applied against the claims have been reviewed. Applicants acknowledge that the Office has deemed such references not sufficiently relevant to have been relied upon in the outstanding Office Action. However, to the extent that the Office may apply such references against the claims in the future, Applicants are prepared to fully respond thereto.

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In summary, Applicants respectfully submit that the instant application, including Claims 1-15 and 17-45, is presently in condition for allowance. Notice to the effect is hereby earnestly solicited.

Respectfully submitted,

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